

Message Text

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64

ACTION PPTE-00

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R 102052Z APR 74

FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 6031

UNCLAS BUENOS AIRES 2611

E.O. 11652: N/A

TAGS: CPAS, AR

SUBJECT: CITIZENSHIP AND PASSPORTS: ADOPTION FRAUD

REF: STATE 070941

1. EMBASSY HAS NOT YET RECEIVED DEPARTMENT'S OM SENT ON
APRIL 3, 1974.

2. THERE ARE NO ACCEPTABLE PROCEDURES WHEREBY GOA WILL AMEND
A BIRTHCERTIFICATE FROM WITHOUT ARGENTINA. AMENDMENT MAY
REPEAT MAY BE MADE PROVIDED PERSON(S) COME TO ARGENTINA AND
PRESENT THE CASE TO THE COURT AND ADMIT TO PERJURY. IN THE
INSTANT CASE IF THE BIRTH REGISTRATION OCCURRED PRIOR TO
SEPTEMBER 9, 1971, ARGENTINE LAW 19216 PROVIDES FOR AMNESTY
IN THE CASE OF ALL FRAUDULENT BIRTHS REPORTED PRIOR TO THAT
DATE IF COMMITTED WITHIN THE CONTENTS OF ARTICLES 139 AND 239
OF THE PENAL CODE.

3. GOA DOES ALLOW ADOPTION OF ITS CITIZENS BY ALIENS. IF THE
SUBJECT CASE COMES WITHIN THE AMNESTY PROVISION CITED ABOVE
IT WOULD BE NECESSARY FOR THE ADOPTING PARENTS TO COME TO
ARGENTINA. THE ADOPTION PROCESS COULD BE LENGTHY, HOWEVER, ONE
OF THE REQUIREMENTS IS THAT THE CHILD MUST BE WITH THE ADOPTING
PARENT FOR ONE YEAR.

4. THE EMBASSY HAS NOW UNDER CONSIDERATION AN IMMIGRANTVISA
IN THE CASE OF MARIO JASCALEVICH, WHICH WAS ORIGINALLY A
FRAUDULENT BIRTH REPORT, AND LATER A LEGAL ADOPTION. THE
ADOPTING PARENTS WERE ASSISTED BY A U.S. LAWYER, MILTON C.
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GELENIAN, 1776 K ST., N.W. WASHINGTON, D.C. 20006, TEL 785-

0300, WHO WAS SUCCESSFUL IN EXPEDITING THE PROCEDURE LOCALLY.
IT IS SUGGESTED THAT THE PERSON INVOLVED IN THE DEPARTMENT'S
REFTEL MAY WISH TO CONSULT FURTHER WITH MR. GELENIAN.
HILL

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NNN

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